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JOHN A. SMART 201 LOS GATOS SARATOGA RD, #161 LOS GATOS, CA 95030-5308			EXAMINER POE, KEVIN T	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/708,584	<b>Applicant(s)</b> SMITH, DEBRA	
	<b>Examiner</b> KEVIN POE	<b>Art Unit</b> 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. This office action is in response to applicant's communication of December 8, 2008. Claims 1-48 are pending and have been examined. The rejections are stated below.

### ***Response to Amendment***

2. Applicant has amended claims 1, 21, and 36. Based on Applicant's amendment the rejection of claims 1-48 under 35 U.S.C. 101 has been withdrawn.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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6. Independent claims 1, 21, and 36 have been amended to include “a computer having at least a processor and memory”. It is unclear as to how the structural components are working together to perform the steps in the claimed invention.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-2, 4-9, 18-22, 24, 28-31, 33-37, 39, 43-46, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lewis [US Pub. No. 2002/0065752 A1]** in view of **Suzuki et al. [US Pub No. 2002/0072922 A1]** and further in view of **Thompson et al. [US Patent No. 6,668,253 B1]**.

9. Regarding **claims 1, 21, and 36** Lewis discloses a system, method, and computer-implemented system for consolidating financial transaction information from multiples sources for presentation to a user, comprising: a computer having at least a processor and memory (computer system, 0023); a file importer for importing data files from a first source and processing each data file to create parsed information for each transaction present in the data file (middleware for incoming data, 0023, 0037, 0067). Lewis discloses a data consolidator for receiving parsed information from the file

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importer (computer system that consolidates data, Abstract, 0023, 0067), consolidating said parsed information with transaction information from a user-accessible system to create consolidated transaction records (computer system that consolidates data, Abstract, 0023, 0067), assigning a unique identifier to each consolidated transaction record for an account (identifier, 0092) and storing said consolidated transaction records (stored data, 0035) wherein consolidating said parsed information includes removing transaction information derived from the user accessible system that is duplicated in said parsed information from the data files (duplicative entries, 0123).

Lewis does not explicitly disclose representing any additional information present in the data file in Extensible Markup Language (XML) format. However Suzuki teaches storing a document which XML format in which additional information indicating the respective attributes of contents and relations among the contents, which were collected (0097). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Suzuki to obtain invention specified. The rationale to combine the teachings would be an improved information processing system that displays consolidated data at a user request.

Lewis does not explicitly disclose a reporting module for receiving a request for financial transaction information for a particular account and presenting consolidated transaction records for the particular account to the user in response to the request, wherein the user may navigate through said consolidated transaction records based upon said unique identifier. However Thompson teaches a financial consolidation application connected to the transformation and staging server for performing

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consolidation and reporting of financial data (reporting module); a web server connected to the data warehouse server; and a plurality of clients connectable to the web server for accessing data from the data warehouse server via the web server, wherein a client accessing the data warehouse server via the web server is presented with a login screen and is required to provide a valid user identifier and password in order to access the system, and wherein, upon authentication of the user identifier (unique identifier) and password, a new browser window is opened at the client and the client is presented with a user interface (UI) tailored to the client's preferences and security privileges, wherein the UI comprises, a task list. buttons/controls for launching components of the system, and a content area for task related data and output, wherein each item listed in the task list has supporting screens that populate the content area, wherein the UI provides access to performance indicators through home paves made up of one to four reports or graphs displayed on the content area, and wherein clients are provided with a set of predefined drill paths or next steps for the user to follow in analyzing their data, wherein the predefined next steps display additional reports with new, more detailed, or related information to a report currently being viewed (Col. 38 line 52 – Col. 39 line 8).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Thompson to obtain invention specified. The rationale to combine the teachings would be the ability for customizable, consolidated financial, operating and inventory reporting from multiple sources will allow users to achieve increased bottom-line gains by out performing existing manual data extraction and manipulation process.

10. Regarding **claim 2**, Lewis discloses wherein said file importer includes at least one file adapter for extracting data from a particular type of data file (0023).

11. Regarding **claim 4**, Lewis discloses wherein said file importer is user extensible to extract data from additional types of data files (0023).

12. Regarding **claims 5, 22, and 37** Lewis discloses said file importer is invoked at periodic intervals to process data files received from said first source (0067).

13. Regarding **claims 6, 28, and 43**, Lewis discloses said first source is an external source (0072).

14. Regarding **claims 7, 29, and 44**, Lewis discloses said external source is a financial institution (0023, 0027, 0035).

15. Regarding **claim 8**, Lewis discloses wherein said data consolidator creates consolidated transactions records based on transaction information in the user accessible system that is more recent than information from the data files received from the first source (real-time, 0023).

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16. Regarding **claim 9**, Lewis discloses said XML representation is stored by the data consolidator for retrieval in response to a user request for financial transaction information (0072, 0125).

17. Regarding **claim 18**, Lewis discloses the reporting module presents at least one page containing said consolidated transaction records in a user interface (Figure 25, 0063).

18. Regarding **claim 19**, Lewis discloses wherein a user may select a particular page of said consolidated transaction records for viewing in the user interface (Figure 25, 0063).

19. Regarding **claim 20**, Lewis discloses wherein the reporting module retrieves consolidated transaction records matching criteria specified by the user in the request for financial transaction information (0067).

20. Regarding **claim 21**, this claim is a method claim that implements the system recited in claim 1. Lewis teaches implementation of the system of claims 1 using a method as claimed (Abstract, claims 24-37).

21. Regarding **claims 24 and 39**, Lewis discloses the file adapter is implemented as a pluggable architecture for supporting a particular file type (0023).



22. Regarding **claims 30 and 45**, Lewis discloses wherein the consolidation repository stores financial information in database tables (0033).

23. Regarding **claim 31**, Lewis discloses wherein the determining step includes consolidating financial information from the user-accessible system with financial information from the consolidation repository (0023).

24. Regarding **claim 32**, Lewis discloses wherein any duplicate information already stored in the consolidation repository is ignored (0123).

25. Regarding **claim 33**, Lewis discloses for any new financial information in the user-accessible system that is not already present in the consolidation repository, creating new parsed information from the new financial information that identifies each transaction present with a unique sequence number (0023, 0067, 0123); updating the consolidated financial information in the consolidation repository to include the new parsed information (0023, 0067).

Lewis does not explicitly disclose representing any additional information present in the data file in Extensible Markup Language (XML) format. However Suzuki teaches storing a document which XML format in which additional information indicating the respective attributes of contents and relations among the contents, which were collected (0097). At the time of the invention it would have been obvious to one of ordinary skill in

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the art to modify the disclosure of Lewis to include the teachings of Suzuki to obtain invention specified. The rationale to combine the teachings would be an improved information processing system that displays consolidated data at a user request.

26. Regarding **claim 34**, Lewis discloses a computer-readable medium having processor-executable instructions for performing the method of claim 21 (0027).

27. Regarding **claim 35**, Lewis discloses a downloadable set of processor-executable instructions for performing the method of claim 21 (0027).

28. Regarding **claim 46**, Lewis discloses wherein the module for determining and presenting consolidates financial information from the user-accessible system with financial information from the consolidation repository (0023).

29. Regarding **claim 48**, Lewis discloses a module for updating the parsed information with new financial information any new financial information in the user-accessible system that is not already present in the consolidation repository (0023).

30. Claims **3**, **23**, and **38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis [US Pub. No. 2002/0065752 A1] in view of Suzuki et al. [US Pub No. 2002/0072922 A1], Thompson et al. [US Patent No. 6,668,253 B1] and further in view of Campbell et al. [US Patent No. 6,856,970 B1].

31. Regarding **claims 3, 23, and 38**, Lewis does not explicitly disclose wherein the data file's file type comprises a BAI file type, and wherein the file adapter is suited for processing BAI files. However Campbell et al. discloses a BAI format mapper (Col. 14 lines 5-7).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Campbell et al. to obtain invention as specified. The rationale to combine the teachings would be to account for different interpretations of BAI that take place from bank to bank.

32. Claims **10-12, 25 and 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis [US Pub. No. 2002/0065752 A1] in view of Suzuki et al. [US Pub No. 2002/0072922 A1], Thompson et al. [US Patent No. 6,668,253 B1] and further in view of Hopkins [US Pub No. 2005/0172137 A1].

33. Regarding **claims 10, 25, and 40** Lewis does not explicitly disclose wherein said unique identifier assigned to a transaction record comprises a sequence number. However Hopkins teaches information for financial transactions includes a unique transaction identifier, a transaction sequence number (TSN), which specifies the particular terminal and contains a sequence number for each transaction originating at the terminal (0025, 0059). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings

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of Hopkins to obtain invention specified. The rationale to combine the teachings would be to efficiently recognize duplicate information.

34. Regarding **claim 11**, Lewis does not explicitly disclose wherein said data consolidator assigns a sequence number per account and per type of transaction. However Hopkins teaches wherein said data consolidator assigns a sequence number per account and per type of transaction (0025, 0059). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Hopkins to obtain invention specified in claim 11. The rationale to combine the teachings would be to efficiently recognize duplicate information.

35. Regarding **claim 12**, Lewis does not explicitly disclose wherein said data consolidator assigns consecutive sequence numbers to transaction records of a given type for a particular account. However Hopkins teaches wherein said data consolidator assigns consecutive sequence numbers to transaction records of a given type for a particular account (0025, 0059). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Hopkins to obtain invention specified in claim 12. The rationale to combine the teachings would be to efficiently recognize duplicate information.

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36. Claims **13-14, 26** and **41** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lewis [US Pub. No. 2002/0065752 A1]** in view of **Suzuki et al. [US Pub No. 2002/0072922 A1]**, **Thompson et al. [US Patent No. 6,668,253 B1]**, **Hopkins [US Pub No. 2005/0172137 A1]** and further in view of **Ferlauto et al. [US Patent No. 6,985,926 B1]**.

37. Regarding **claims 13, 26, and 41** Lewis does not explicitly disclose wherein said data consolidator assigns date-based sequence numbers to transaction records of a given type for a particular account. However Ferlauto teaches wherein said data consolidator assigns date-based sequence numbers to transaction records of a given type for a particular account (Col. 16 lines 63-67). At the time of the invention it would have been obvious to one having ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Ferlauto to obtain invention specified. The rationale to combine the teachings would be to proactively remove duplicate data for a more relevant consolidation system.

38. Regarding **claim 14**, Lewis does not explicitly disclose wherein the data consolidator is user configurable to assign a unique identifier to transaction records using a selected one of consecutive sequence numbers and date-based sequence numbers. However Ferlauto teaches wherein the data consolidator is user configurable to assign a unique identifier to transaction records using a selected one of consecutive sequence numbers and date-based sequence numbers. (Col. 16 lines 63-67). At the

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time of the invention it would have been obvious to one having ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Ferlauto to obtain invention specified in claim 13. The rationale to combine the teachings would be to proactively remove duplicate data for a more relevant consolidation system.

39. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lewis [US Pub. No. 2002/0065752 A1]** in view of **Suzuki et al. [US Pub No. 2002/0072922 A1]**, **Thompson et al. [US Patent No. 6,668,253 B1]** and further in view of **Battat et al. [US Pub No. 2006/0143239]**.

40. Regarding **claim 15**, Lewis does not explicitly disclose the data consolidator provides for undoing transaction records created from a particular file in response to a user request to undo a particular file. However Battat the data consolidator provides for undoing transaction records created from a particular file in response to a user request to undo a particular file (0230). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Battat to obtain invention as specified in claim 15. The rationale to combine the teachings would be for a user to insure data accuracy of the data.

41. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lewis [US Pub. No. 2002/0065752 A1]** in view of **Suzuki et al. [US Pub No. 2002/0072922**

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**A1], Thompson et al. [US Patent No. 6,668,253 B1], Battat et al. [US Pub No. 2006/0143239] and further in view Smith [US Pub No. 2002/0042795 A1].**

42. Regarding **claim 16**, Cohen does not explicitly disclose the data consolidator identifies dependent files having transaction records dependent on transaction records created from said particular file. However Smith discloses a file reader associated with the file type of the located file then reads details out of the located file to thus identify dependent files in the library. These are those files which contain data which is dependent upon the data in one or other files in the library. [0112]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Cohen to include the teachings of Smith to obtain invention as specified in claim 16. The rationale to combine the teachings would be for data integrity.

43. Regarding **claim 17** Lewis does not explicitly disclose wherein said dependent files are reprocessed by the data consolidator in response to the user request to undo the particular file. However Battat teaches wherein said dependent files are reprocessed by the data consolidator in response to the user request to undo the particular file (0230). At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Lewis to include the teachings of Battat to obtain invention as specified. The rationale to combine the teachings would be for a user to insure data accuracy of the data.

44. Claims **27** and **42** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lewis [US Pub. No. 2002/0065752 A1]** in view of **Suzuki et al. [US Pub No. 2002/0072922 A1]**, **Thompson et al. [US Patent No. 6,668,253 B1]** and further in view of **Schulze et al. [US Pub No. 2006/0041493 A1]**.

45. Regarding **claims 27 and 42**, Cohen does not explicitly disclose wherein the user-accessible system comprises a main back-end database system for a bank. However Schulze et al. discloses the outsourced third party entity is in direct connection with the mainframe computer of the bank wherein the outsourced third party entity may produce a backup directory of each database file. This database backup is an additional safe guard for the financial institution. [0044]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Cohen to include the teachings of Schulze et al. to obtain the invention as specified. The rationale to combine the teaching would be that the backup would be an emergency information source in case of system failure.

46. Claim **32** and **47** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cohen [US Pub No. 2003/0097331]** in view of **Osborne [US Pub No. 2003/0120619 A1]**.



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47. Regarding **claims 32 and 47**, Cohen does not explicitly disclose any duplicate information already stored in the consolidation repository is ignored. However Osborne discloses the transfer manager component then determines whether the received data are duplicates with the data in the database at. If the data are duplicates, then the transfer manager component discards the duplicated data at and continues with the processing. [0058]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Cohen to include the teachings of Osborne to obtain invention as specified in claim. The rationale to combine the teachings would be to not waste database space with duplicate information.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN POE whose telephone number is (571)272-9789. The examiner can normally be reached on Monday through Friday 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES KRAMER can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Primary Examiner, Art Unit 3693